

### **III. REMARKS**

1. Claims 1, 3-9, 11, 19-20, 24, 26-32, 39-42, 45-48 and 52 are amended. Claim 54 is new.
2. Claims 1-13, 15, 16, 20-25, 27-32, 34, 35, 37, 38, 45-51 and 53 are not anticipated by Brenner et al. ("Brenner")(US Pat. Pub. 2004/0139842) under 35 USC §102(e).

Claim 1 is amended to recite that the note event messages contain information for notes to be played and the light configuration messages map the locations of the lights to be activated to the notes in the note events and the light configuration messages contain data mapping the simultaneous activation of the lights to the note information in the note events. At least these features are not disclosed or suggested by Brenner.

As claimed by Applicant, the activation of the lights is directly mapped to the notes to be played. This is not the case with Brenner. Brenner first requires that there be an "instrument definition" corresponding to a "light grouping." (Abstract, lines 1-12, para. 0012; 0025; 0039). A command that is received in an audio file, and is associated with an instrument definition, is "compared" to determine if the "associated instrument definition" corresponds to a "light grouping" or an "audio instrument." (Abstract, lines 11-15) If a light grouping, then the respective light grouping is controlled. If audio, then the audible output is controlled (Abstract, Fig. 4, items 420, 425, 430). Thus, in Brenner, a "Received Command" can only be one of an instrument definition assigned to a light grouping **or** an instrument definition associated with an audible output. This is not the same as what is claimed by Applicant.

Although Brenner states the specific order and/or sequence that the light groupings illuminate can be "coordinated" with audible sounds. (Para. 0021). However, Brenner still only discloses that a "Received Command" can only be one of an instrument definition assigned to a light grouping **or** an instrument definition associated with an

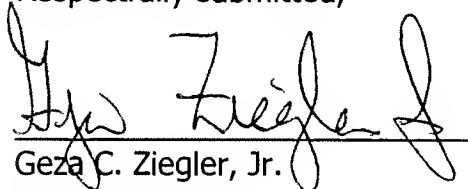
audible output. Thus, Brenner does not disclose or suggest Applicant's claimed subject matter where the received command, or a single event controls both the notes and the lights. This cannot be the case in Brenner, as is clearly shown by FIG. 4, step 420, which branches to either 425 **or** 430. Once command or event in Brenner cannot control both the audio and lights. Brenner clearly establishes two separate events.

Thus, each and every element recited in claims 1 is not disclosed or suggested by Applicant. Therefore, it is submitted that claim 1, the other independent claims and the claims that depend therefrom, are not, and cannot be, anticipated by Brenner.

2. Claims 14, 17-19, 26, 33, 36, 39-44 and 52 are not unpatentable over Brenner under 35 USC §103(a) at least by reason of their respective dependencies.

Therefore, in view of the foregoing, it is respectfully submitted that the claims are in a condition for allowance.

Respectfully submitted,



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